

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL CAMPBELL,

Defendant.

4:01CR31

ORDER

Defendant Daniel Campbell appeared before the court on November 28, 2006 on a Petition for Warrant or Summons for Offender Under Supervision [40]. The defendant was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney Douglas R. Semisch. The government moved for detention. Through counsel, the defendant argued for release. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Judge Kopf.

Defendant Daniel Campbell appeared before the court December 6, 2006 regarding his right to a probable cause hearing on the Report. The government offered evidence. The defendant did not offer any evidence. I find that the Report alleges probable cause and that the defendant should be held to answer for a final dispositional hearing before Judge Kopf.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Richard G. Kopf in Courtroom No.1, 100 Centennial Mall North, Lincoln, NE 68508 on **January 5, 2007 at 1:00 p.m.** Defendant must be present in person.
2. The defendant, Daniel Campbell, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 7th day of December, 2006.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge